

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

:  
**CHARLES LENWOOD NIX, JR.,** :  
:  
**Plaintiff,** :  
:  
: **Civil Action No.**  
**v.** : **5:10-CV-256 (CAR)**  
:  
**ALAN CARTER, et al.,** :  
:  
**Defendants.** :  
:

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**ORDER ON THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States Magistrate Judge's Report and Recommendation [Doc. 63] that Defendants' Motion to Dismiss be DENIED. Defendants did not file an objection to the Recommendation. Having considered the Recommendation, this Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation of the United States Magistrate Judge is therefore ADOPTED and MADE THE ORDER OF THE COURT.

SO ORDERED, this 22nd day of September, 2011.

S/ C. Ashley Royal  
C. ASHLEY ROYAL  
UNITED STATES DISTRICT JUDGE

SSH